

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

THOMAS WILLIAM SINCLAIR  
RICHEY,

Plaintiff,

v.

BERNARD WARNER, et al.,

Defendants.

CASE NO. C14-5159 BHS-JRC

ORDER ADOPTING REPORT  
AND RECOMMENDATION

This matter comes before the Court on the Report and Recommendation (“R&R”) of the Honorable J. Richard Creatura, United States Magistrate Judge (Dkt. 23), and Plaintiff Thomas Williamsinclair Richey’s (“Richey”) objections to the R&R (Dkt. 24).

On May 16, 2014, Judge Creatura issued the R&R recommending that the Court deny Richey’s motion for a temporary restraining order because, in part, Richey has failed to show the denial of a basic human need such as food or shelter. Dkt. 23. On May 23, 2014, Richey filed objections arguing that he suffers an irreparable injury every time another prisoner is provided “free, extra food . . . .” Dkt. 24 at 2. The Court

1 disagrees with Richey and concludes that the denial of free extra food is not an  
2 irreparable injury sufficient to justify preliminary relief.

3 Therefore, the Court having considered the R&R, Richey's objections, and the  
4 remaining record, does hereby find and order as follows:

5 (1) The R&R is **ADOPTED**; and

6 (2) Richey's motion for preliminary relief (Dkt. 7) is **DENIED**.

7 Dated this 24th day of June, 2014.

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10 BENJAMIN H. SETTLE  
United States District Judge